

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LISA GAIL SHURTZ, on behalf of J.M.S., )  
a minor, )

Plaintiff, )

v. )

COMMISSIONER of SOCIAL SECURITY, )

Defendant. )

Case No. 23-cv-1187-RJD

**MEMORANDUM AND ORDER**

**DALY, Magistrate Judge:**

This matter comes before the Court on the parties' Joint Motion to Award Attorney Fees and Expenses (Doc. 24). The parties agree and stipulate to an award of attorney fees and expenses in the amount of \$7,245.00 (*Id.*).

The Court finds that Plaintiff is the prevailing party and is entitled to an award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(B). The Court further finds that the amount sought is reasonable and appropriate. Therefore, the Joint Motion to Award Attorney Fees and Expenses (Doc. 24) is **GRANTED**. Plaintiff is awarded \$7,245.00 for attorney fees and expenses in full satisfaction of any and all claims for attorney fees and expenses that may have been payable to Plaintiff in this matter under the Equal Access to Justice Act, 28 U.S.C. § 2412.

Any fees paid belong to Plaintiff and not Plaintiff's attorney and can be offset to satisfy any pre-existing debt that the litigant owes the United States. *Astrue v. Ratliff*, 560 U.S. 586 (2010). If Defendant can verify that Plaintiff does not owe a pre-existing debt to the government subject to offset, Defendant will direct that the award be made payable to Osterhout Berger

Disability Law, LLC pursuant to the EAJA assignment duly signed by Plaintiff. If payment is mailed, as compared to electronically deposited, it shall be mailed to counsel's address of record: Osterhout Berger Disability Law, LLC, 521 Cedar Way, Suite 200, Oakmont, PA 15139.

**IT IS SO ORDERED.**

**DATED: April 5, 2024**

s/ *Reona J. Daly*  
**Hon. Reona J. Daly**  
**United States Magistrate Judge**